

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

JIM B. ESTES, PRO SE,	§	
also known as CATFISH JIM ESTES,	§	
also known as JIM ESTES,	§	
also known as J. B. ESTES,	§	
also known as JAMES BYERS ESTES, JR.,	§	
TDCJ-CID No. 1003415,	§	
Previous TDCJ-CID No. 450903,	§	
Previous TDCJ-CID No. 816608,	§	
Previous TDCJ-CID No. 292511,	§	
NVID No. 29107,	§	
LVFCI No. 29108-048,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:11-CV-0023
	§	
JAVET RAHORST ET AL.,	§	
	§	
Defendants.	§	

**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT AND ORDER OF DISMISSAL**

Plaintiff JIM B. ESTES, while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, originally filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-named defendants and has been granted permission to proceed *in forma pauperis*.

By Order of Partial Dismissal [docket entry #73] issued January 25, 2012, plaintiff's claims against defendants RAHORST, JONES, and McDUFFIE were dismissed with prejudice for failure to state a claim on which relief can be granted. On August 9, 2012 Order Dismissing Claims Concerning Discontinuation of Pain Medication and Declaring the Remainder of Defendants' Motion to Dismiss under Rule 12(b)(6), or Alternative, Motion for a Rule 7(a) Reply to be Moot [docket entry #117] was issued, dismissing plaintiff's claims regarding the discontinuation of prescription medications Tramadol and Robaxin.

On August 30, 2013 a Report and Recommendation [docket entry #229] was issued by the United States Magistrate Judge recommending defendants' Motion for Summary Judgment [docket entry #150] be granted and that plaintiff's remaining claims be dismissed with prejudice on the merits and on the issue of qualified immunity.

Plaintiff filed his Objections on September 24, 2013.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation, as well as plaintiff's objections.

The Court is of the opinion that plaintiff's objections should be OVERRULED and the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does OVERRULE plaintiff's objections, and does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that defendants' Motion for Summary Judgment is GRANTED and that plaintiff's remaining claims against all remaining defendants are DISMISSED WITH PREJUDICE.

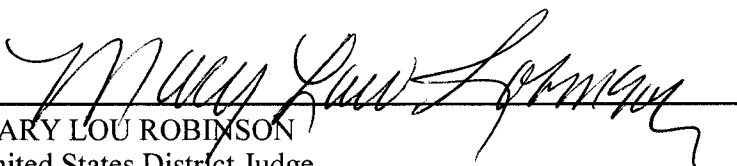
LET JUDGMENT BE ENTERED ACCORDINGLY.

Any pending motions are DENIED.

The Clerk shall send a copy of this order to plaintiff and to any attorney of record.

It is SO ORDERED.

Signed this the 27th day of September, 2013.


MARY LOU ROBINSON
United States District Judge